

### Why Address Information Is Protected

Title 13, United States Code (U.S.C.) provides for the confidential treatment of census related information. Chapter 1, Section 9 of the code states:

"Neither the Secretary, nor any other officer or employee of the Department of Commerce or bureau or agency thereof, or local government census liaison, may, except as provided in section 8 or 16 or chapter 10 of this title-

- 1) use the information furnished under the provisions of this title for any purpose other than the statistical purposes for which it is supplied; or
- 2) make any publication whereby the data furnished by any particular establishment or individual under this title can be identified; or
- 3) permit anyone other than the sworn officers and employees of the Department or bureau or agency thereof to examine the individual reports."

Section 214 of the code further explains that the penalty for the wrongful disclosure or release of information protected by Title 13 is a fine of not more than \$5,000 or imprisonment for not more than 5 years, or both.

To implement this law, all employees of the Census Bureau (both temporary and permanent) take an oath to maintain the confidentiality of the census information they encounter in their work. Census information includes everything on a completed or partially completed questionnaire, or obtained in a personal or telephone interview. In addition, it includes individual addresses, such as those the Census Bureau maintains in its Master Address File (MAF) and which local and tribal liaisons will be examining as part of the LUCA program. It also includes maps that show individual housing unit locations. Generalized address information, such as the address range information available in the Census Bureau's TIGER/Line® products, is not considered protected by Title 13, U.S.C.

In 1994, the Congress amended Chapter 1 of Title 13, U.S.C. to allow locally appointed liaisons to review the Census Bureau's address list for their area. This amendment recognizes the important role that local knowledge and participation can play in building the Census address list. **The amendment also provides for the continued confidentiality protection of individual address information and therefore limits the use of the Census address list by liaisons to the**

**improvement of the Census address list.** For the LUCA program, we require the agreement of each local and tribal participant to abide by the rules explained in this chapter. You may wonder why addresses are considered confidential. In his remarks to the Congress explaining the intent of the Census Address List Improvement Act of 1994, Congressman Thomas Sawyer said:

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"The subcommittee is well aware of, and sensitive to, concerns about personal privacy. It's probably true that most people do not view an address without related names, as private information. Frankly, address information is widely available in today's society from public and private sources. However, for two reasons, the legislation allows for only limited access to this most benign piece of census information.

The first reason is that it may be difficult to communicate clearly to the American public that the information in question does not contain names or any other identifying information besides the physical location of a housing unit....

The second reason for limiting access is that the Bureau's definition of a housing unit is necessarily broad and may include information not generally known. For example, that definition includes illegally occupied garages, offices, basement apartments, and other structures not normally inhabited. But while the effort to include every structure where a person lives is essential for an accurate count, the Bureau might inadvertently have information on its address list that indicates the existence of a structure not properly zoned for residential dwelling...."

The Census Bureau is committed to maintaining the confidentiality of address information so that we can continue to have the American public's trust and support. Local governments cannot use the Census Bureau's address information to identify and prosecute citizens who have illegal conversions of residential units.